IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

WP(C).No. 18331 of 2007(G)

PETITIONER:

P.S.HAMSA, PALAPPARAMBIL HOUSE,
THAZHATHANGADI P.O., KOTTAYAM.

BY ADV. SRI.V.K.MOHAMMED YOUSUF
SMT.SHAMEENA SALAHUDHEEN

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY**
   I.G. OF REGISTRATION, THIRUVANANTHAPURAM.

2. **PRINCIPAL SUB REGISTRAR,**
   OFFICE OF THE SUB REGISTRAR,
   KOTTAYAM.

3. **REVENUE DIVISIONAL OFFICER, KOTTAYAM.**

4. **P.S.SULAIMAN, PALAPPARAMBIL HOUSE,**
   THAZHATHANGADI P.O., KOTTAYAM.

5. **P.S.ABDUL KAREEM,**
   PALAPPARAMBIL, THAZHATHANGADI, KOTTAYAM.

6. **RAHANA BASHEER,**
   PARAKKAVATTY THAZHCHAYIL,
   CHANGANASSERY.

BY GOVT. PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.18331 OF 2007

DATED THIS THE 15th DAY OF JUNE, 2007

JUDGMENT

The petitioner challenges Exts.P2 and P3 documents, which have been registered with the 2nd respondent. The contention of the petitioner is that the property belongs to him and he has executed a power of attorney in respect of the above said property in favour of the 4th respondent, which had already been cancelled and the 4th respondent got those documents executed in favour of the 5th and 6th respondents fraudulently. The petitioner seeks a direction to the Registrar to cancel these documents. However, the petitioner was not able to point out any provision of law under which the 2nd respondent has power to cancel such documents. If the petitioner has got a case that these documents have been fraudulently executed and registered, the remedy of the petitioner is to file a suit for setting aside those documents. Such a prayer cannot be granted under Article 226 of Constitution of India.

Accordingly, the writ petition is dismissed without prejudice to the right of the petitioner to seek such appropriate remedies available under law.

S. SIRI JAGAN, JUDGE

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